

This matter having been opened to the Court by Jeffrey D. Smith, Esq., of DeCotiis, Fitzpatrick & Cole, LLP, attorneys for the plaintiff, Texas Eastern Transmission, LP ("Texas Eastern"), on the return of the Order to Show Cause entered by the Court on \_\_\_\_\_, 2014, on plaintiff's application for 1) an Order determining that plaintiff is duly vested with and has duly exercised its authority to acquire the property right (easements) being condemned in this cause, 2) authorizing Texas Eastern to either secure a bond in the amount of the estimated compensation or deposit the amount of the estimated compensation into the Court's registry pursuant to L. Civ. R. 67.1(a), and determining that Texas Eastern, upon securing a bond in the

amount of the estimated compensation or payment of the estimated compensation into Court, be given immediate possession of the property rights condemned; and 3) enjoining and restraining Coles Jersey Development Co., LLC, their agents, and those acting on concert with it, from interfering with Texas Eastern's access to the property and its project activities.

And the Court, having considered the papers filed and the arguments of counsel who appeared, and it appearing that plaintiff is entitled, under the Natural Gas Act, 15 U.S.C. §717(f) (h), and under the provisions of a Certificate of Convenience and Public Necessity issued by the Federal Energy Regulatory Commission on May 21, 2012 (in FERC Docket No. CP11-56-000) to maintain this condemnation action;

It is on this \_\_\_\_\_ day of \_\_\_\_\_, 2014,

**ORDERED** as follows:

1. Texas Eastern is entitled to relief under the equitable powers of this Court and shall receive immediate possession of the permanent easement condemned herein;
2. Texas Eastern shall have full rights of ingress and egress to the property described in the Verified Complaint and defendant Coles Jersey Development Co., LLC, their agents and assigns and all those acting in concert with it are enjoined and restrained from interfering with site access on the subject property and attendant maintenance activities by Texas Eastern, its contractors or any utility or utility contractor; and
3. That plaintiff's attorneys shall serve a copy of this Order upon defendant owner, by regular mail addressed to its attorneys, within \_\_\_\_\_ days of the entry of this Order.

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, U.S.D.J.